

**REMARKS/ARGUMENTS****I. General**

Claims 1-75 were pending in the application and were rejected in the Final Office Action mailed March 24, 2003. The outstanding issues in the Final Office Action are:

- Claims 1-75 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Number 6,335,927 issued to Elliot et al. (hereinafter “*Elliot*”) in view of U.S. Patent Number 6,363,411 issued to Dungan et al. (hereinafter “*Dungan*”).

In response, Applicant respectfully traverses the outstanding claim rejections, and requests reconsideration and withdrawal thereof in light of the remarks presented herein.

**II. Claim Rejections Under 35 U.S.C. § 103(a)**

Claims 1-75 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Elliot* in view of *Dungan*. Applicant respectfully reasserts the arguments set forth in Applicant’s previous Amendment (mailed January 6, 2003), and requests that the Examiner reconsider those arguments. For conciseness, Applicant further addresses the Examiner’s specific responses in the Final Office Action to Applicant’s arguments below.

To establish a prima facie case of obviousness, three basic criteria must be met. *See* M.P.E.P. § 2143. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference must teach or suggest all the claim limitations. Without conceding any other criteria, Applicant respectfully asserts that the rejection does not satisfy the third criterion. That is, the applied combination of *Elliot* and *Dungan* fails to teach or suggest each and every limitation of the claims.

**Independent Claims 1, 24, 54, and 55**

Applicant respectfully submits that the applied combination of *Elliot* and *Dungan* fails to teach or suggest all of the limitations of independent claims 1, 24, 54, and 55. For example, independent claim 1 recites, in part, “(a) receiving a service order having one or

more service components with each component being in a generic service request format; . . . (c) translating the service component in each appropriate domain manager into corresponding device specific parameters”.

Independent claim 24 recites, in part, “(a) an order processing system for receiving a service order having one or more generic service components; (b) at least one domain manager . . . the domain manager translates said generic service component into corresponding device specific parameters”.

Independent claim 54 recites, in part, “(a) an order processing system for receiving a service order having one or more generic service components defining a service in device neutral parameters; (b) at least one domain manager . . . the domain manager translates said generic service component into corresponding device specific parameters”.

Independent claim 55 recites, in part, “(a) an order processing system for receiving a service order having one or more generic service components defining a service in device neutral parameters; (b) at least one domain manager . . . the domain manager translates said generic service component into corresponding device specific parameters”.

As discussed in Applicant’s previous Amendment, the combination of *Elliot* and *Dungan* fails to teach or suggest at least the above limitations of independent claims 1, 24, 54, and 55.

In contending that *Elliot* teaches receiving a service order having one or more service components with each component being in a generic service request format, the Examiner relies on col. 23, lines 14-21 of *Elliot*, which provides:

Each of these new networks are envisioned to interoperate with the ISP 2100 in the same way. Calls (or transactions) will originate in a network from a customer service request, the ISP will receive the transaction and provide service by first identifying the customer and forwarding the transaction to a generalized service-engine 2134. The service engine determines what service features are needed and either applies the necessary logic or avails itself of specialized network resources for the needed features.

The above teaching of *Elliot* provides that a call (or transaction) originates from a customer service request, and the ISP receives the transaction and provides service by first

identifying the customer and forwarding the transaction to a generalized service-engine 2134. The above teaching of *Elliot* does not teach or suggest that a received transaction from a customer service request comprises one or more service components in a generic service request format. Accordingly, *Elliot* fails to teach or suggest the above limitations of claims 1, 24, 54, and 55.

In response to this argument, the Examiner asserts in the Final Office Action:

One ordinary skill in the art can be established that the service requests from service components are in some kind of form contains certain kinds of parameters like customer or components identifications. In the prior art *Elliot* these request forms are forwarded to service engine where they are processed.

Thus, the Examiner appears to assert that the service request of *Elliot* contains “certain kinds of parameters like customer or components identifications.” Without conceding this point, even assuming momentarily that *Elliot*’s service request does include “certain kinds of parameters”, *Elliot* certainly fails to teach or suggest that the service request includes one or more service components in a generic service request format. Claim 1 recites “receiving a service order having one or more generic service components” (emphasis added). Similarly, claim 24 recites “receiving a service order having one or more generic service components” (emphasis added). Also, claims 54 and 55 each recite “receiving a service order having one or more generic service components defining a service in device neutral parameters” (emphasis added). Thus, even assuming that the service request of *Elliot* includes “certain kinds of parameters”, it fails to teach or suggest that the service request includes one or more generic service components (as in claims 1 and 24) or one or more generic service components defining a service in device neutral parameters (as in claims 54 and 55). Accordingly, *Elliot* fails to teach or suggest at least these limitations of independent claims 1, 24, 54, and 55.

Further, the Examiner concedes in the Office Action that *Elliot* fails to teach or suggest translating the service component in each appropriate domain manager into corresponding device specific parameters, *see item 2 on page 2 of Office Action*. However, the Examiner asserts that *Dungan* teaches this element and contends that it would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the teaching of *Dungan* into the system of *Elliot*. More specifically, the

Examiner relies on col. 22, lines 47-61 of *Dungan* as teaching this limitation, *see item 2 on Page 2 of Office Action*. Column 22, lines 47-61 of *Dungan* provides:

More specifically, as part of the service/data activation step, SA implements a trigger which causes the downloading of the service profile at the appropriate time. When a service profile (e.g., as shown in Table 2) is downloaded to a service node, the service profile includes the service start and end times. The service profile is downloaded to the service node by provisioning the information into Data Management, as will be described in further detail with respect to FIG. 5(f). The NOS, acting as a DM Client, is notified of the change in service profile information via the DM API. In a preferred embodiment, SA sends a message to a NOS Name Translation (“ANT”) function in each SLEE on which the service will execute to direct a name translation function to re-point the logical name for the service to the physical address or object reference of the version that is being activated.

The above teaching of *Dungan* fails to teach or suggest “translating the service component in each appropriate domain manager into corresponding device specific parameters”, as recited by claim 1. Likewise it fails to teach or suggest “at least one domain manager . . . the domain manager translates said generic service component into corresponding device specific parameters”, as recited by claim 24. Similarly, it fails to teach or suggest “at least one domain manager . . . the domain manager translates said generic service component into corresponding device specific parameters”, as recited by claims 54 and 55.

As mentioned in Applicant’s previous Amendment, because the Examiner relies on *Elliot* as teaching receiving generic service components in that *Elliot* teaches receipt of a call (or transaction) and because *Dungan* fails to teach or suggest translating any service components that are received via such a call (or transaction), it seems that the elements combined in *Elliot* and *Dungan* do not correlate. Further, the above teaching of *Dungan* does not teach translating a generic service component into corresponding device specific parameters. Rather, it merely describes downloading a service profile, such as that of Table 2 in *Dungan*, that specifies the system requirements for a service. The above portion of *Dungan* teaches that it performs a name translation to identify the service being requested. For instance, as described at col. 18, lines 13-22 of *Dungan*:

SA provides a unique name to every version of every service/data entity prior to storing the service/data entity in the DBOR 230, so that multiple versions of the same service/data entity may be maintained. When SA

distributes the data/services to Data Management, a single logical name is provided with each entity, along with a unique version name, so that processes such as SLPs may call on a service/data entity with a common logical name without having to know which version is needed.

While a name translation is performed to identify the service that is requested (e.g., the correct version of the service), the above teaching of *Dungan* fails to teach or suggest translating a generic service component into corresponding device specific parameters.

In response to these arguments, the Examiner asserts in the Final Office Action:

In the reference of *Dungan* the DM act as a Domain manager which become the clients of Name Translation by translating the services in terms of logical and physical addresses.

Again, while *Dungan* teaches performing a name translation to identify the service that is requested, such as identifying the correct version of the service, *Dungan* fails to teach or suggest translating a generic service component into corresponding device specific parameters.

In view of the above, because the combination of *Elliot* and *Dungan* fails to teach or suggest all of the limitations of independent claims 1, 24, 54, and 55 as discussed above, Applicant respectfully submits that these independent claims are not obvious under 35 U.S.C. § 103(a) over *Elliot* in view of *Dungan*, and therefore Applicant respectfully requests withdrawal of this rejection.

#### Independent Claims 29 and 61

Applicant respectfully submits that the applied combination of *Elliot* and *Dungan* fails to teach or suggest all of the limitations of independent claims 29 and 61. For example, independent claims 29 and 61 each recites, in part, “an activation system further comprising: an order processing system communicatively interconnected between said service provisioning systems and at least one domain manager communicatively connected to the order processing system for receiving a service order comprising at least one generic service component, wherein the at least one domain manager translates said at least one generic service component into corresponding device specific parameters” (emphasis added).

As described above with independent claims 1, 24, 54, and 55, the combination of *Elliot* and *Dungan* fails to teach or suggest the above limitation of independent claims 29 and 61. That is, the combination of *Elliot* and *Dungan* fails to teach or suggest a domain manager for “receiving a service order comprising at least one generic service component”. Further, the combination of *Elliot* and *Dungan* fails to teach or suggest “wherein the at least one domain manager translates said at least one generic service component into corresponding device specific parameters”. Thus, independent claims 29 and 61 are not obvious in view of the combination of *Elliot* and *Dungan*.

Further, independent claims 29 and 61 each recites “one or more peer managers communicatively connected to the at least one domain manager to route the at least one generic service component to an appropriate domain manager of the at least one domain manager”. The combination of *Elliot* and *Dungan* also fails to teach or suggest this further limitation of independent claims 29 and 61. From the Examiner’s rejection of claim 61 (on page 8 of the Office Action), it appears that the Examiner relies on the teaching of *Elliot* at col. 17, lines 62-67 and col. 18, lines 1-8 as providing the recited one or more peer managers. The relied upon portion of *Elliot* provides:

FIG. 19F is a block diagram of an internet telephony system in accordance with a preferred embodiment. A number of computers 1900, 1901, 1902 and 1903 are connected behind a firewall 1905 to the Internet 1910 via an Ethernet or other network connection. A domain name system 1906 maps names to IP addresses in the Internet 1910. Individual systems for billing 1920, provisioning 1922, directory services 1934, messaging services 1930, such as voice messaging 1932 are all attached to the internet 1910 via a communication link. Another communication link is also utilized to facilitate communications to a satellite device 1940 that is used to communicate information to a variety of set top devices 1941-1943. A web server 1944 provides access for an order entry system 1945 to the Internet 1910.

The above teaching of *Elliot* fails to teach or suggest the recited “one or more peer managers communicatively connected to the at least one domain manager to route the at least one generic service component to an appropriate domain manager of the at least one domain manager” of claims 29 and 61. While the above teaching of *Elliot* describes that a “domain name system 1906 maps names to IP addresses in the Internet 1910”, it fails to teach or suggest a peer manager for routing at least one generic service component to an appropriate domain manager, as claimed by claims 29 and 61. For instance, the domain name system

1906 of *Elliot*, which maps names to IP addresses, does not receive a generic service component and translate the generic service component into corresponding device specific parameters, as does the claimed domain manager of claims 29 and 61.

The Examiner's reliance on *Elliot* as disclosing the recited domain manager and peer manager is inconsistent with the Examiner's concessions in the Office Action. For instance, the Examiner concedes that *Elliot* fails to teach or suggest translating a generic service component into corresponding device specific parameters (*see item 2 on page 2 of Office Action*), which is the claimed functionality of the domain manager of claims 29 and 61. However, the Examiner maintains that *Elliot* teaches the recited domain manager and further asserts that *Elliot* teaches a peer manager for routing a generic service component to the appropriate domain manager. Applicant fails to understand how this can be taught by *Elliot*, when the Examiner concedes that translating a generic service component into corresponding device specific parameters is not taught by *Elliot*. That is, because *Elliot* fails to teach or suggest translating a generic service component into corresponding device specific parameters, which is the claimed functionality of the recited domain manager of claims 29 and 61, *Elliot* necessarily fails to teach or suggest the recited domain manager, and thus *Elliot* further fails to teach or suggest one or more peer managers for routing a generic service component to an appropriate domain manager.

In response to the above arguments, the Examiner asserts in the Final Office Action:

An application process within a managed domain which effects monitoring and control functions on managed objects and/or management sub-domains (col. 44, lines 31-36).

However, Applicant maintains that because *Elliot* fails to teach or suggest translating a generic service component into corresponding device specific parameters (as conceded by the Examiner), which is the claimed functionality of the recited domain manager of claims 29 and 61, *Elliot* necessarily fails to teach or suggest the recited domain manager, and thus *Elliot* further fails to teach or suggest one or more peer managers for routing a generic service component to an appropriate domain manager.

In view of the above, because the combination of *Elliot* and *Dungan* fails to teach or suggest all of the limitations of independent claims 29 and 61 as discussed above, Applicant

respectfully submits that these independent claims are not obvious under 35 U.S.C. § 103(a) over *Elliot* in view of *Dungan*, and therefore Applicant respectfully requests withdrawal of this rejection.

Independent Claim 44

Applicant respectfully submits that the applied combination of *Elliot* and *Dungan* fails to teach or suggest all of the limitations of independent claim 44. For example, independent claim 44 recites, in part, “means for describing a service by one or more universal service components using universal service component relationships stored in a database; means for translating a service by employing universal service translation including parameter mapping, service decomposition, and command composition, wherein said means for translating comprises means for translating vendor neutral said one or more universal service components into vendor specific form and means for translating device neutral said one or more universal service components into device specific form” (emphasis added).

As described above with independent claims 1, 24, 54, and 55, the combination of *Elliot* and *Dungan* fails to teach or suggest the above limitation of independent claim 44. That is, the combination of *Elliot* and *Dungan* fails to teach or suggest a means for translating a vendor neutral universal service component into vendor specific form. Further, the combination of *Elliot* and *Dungan* fails to teach or suggest a means for translating a device neutral universal service component into device specific form.

In response to this argument regarding claim 44, the Examiner asserts in the Final Office Action:

These applications also provide the database access on behalf of the external systems or network element such as Order Entry or Switch requested translations (col. 34, lines 64-67). One ordinary skill in the art can establish that Network element could also be described as Vendor universal service component where order entry form can also be translated as service request form.

The Examiner provides no motivation or support for the above assertion that a Network element could also be a vendor universal service component. Applicant believes that the Examiner is either relying on his personal knowledge or has taken Official Notice with regard to the above assertion. Thus, under Rule 37 C.F.R. §1.104(d)(2), the Examiner is

hereby requested to provide and make of record an affidavit setting forth his data as specifically as possible for the assertion. Alternatively, under M.P.E.P. § 2144.03, the Examiner is hereby requested to cite a reference in support of the assertion. Otherwise the rejection of claim 44 should be withdrawn.

Further, even assuming that the Network element of *Elliot* is a vendor neutral component, as asserted by the Examiner (without conceding this point), *Elliot* fails to teach a means for translating such a vendor neutral universal service component into vendor specific form and means for translating device neutral universal service component into device specific form, as recited by claim 44. Thus, independent claim 44 is not obvious in view of the combination of *Elliot* and *Dungan*.

In view of the above, because the combination of *Elliot* and *Dungan* fails to teach or suggest all of the limitations of independent claim 44, Applicant respectfully submits that this independent claim is not obvious under 35 U.S.C. § 103(a) over *Elliot* in view of *Dungan*, and therefore Applicant respectfully requests withdrawal of this rejection.

#### Independent Claims 48, 49, and 53

Applicant respectfully submits that the applied combination of *Elliot* and *Dungan* fails to teach or suggest all of the limitations of independent claims 48, 49, and 53. For example, independent claim 48 recites, in part:

means for populating into a service provisioning system one or more universal service components, wherein said one or more universal service components each provide a vendor neutral and device neutral definition of a service;

means for grouping said universal service component instances together to compose a service order; . . .

Similarly, independent claim 49 recites, in part:

describing a service in a universal service component;  
including one or more of said universal service components in a service order;

Similarly, independent claim 53 recites, in part:

populating into one or more service provisioning system one or more generic service components;

grouping said generic service components together to compose a service order; . . .

As described above with independent claims 1, 24, 54, and 55, the combination of *Elliot* and *Dungan* fails to teach or suggest the above limitations of independent claims 48, 49, and 53. That is, the combination of *Elliot* and *Dungan* fails to teach or suggest grouping generic service components (or universal service components) together to compose a service order. The Examiner asserts that *Elliot* teaches such a service order at col. 23, lines 14-21 thereof. However, as explained above with claims 1, 24, 54, and 55, this relied upon portion of *Elliot* teaches that a call (or transaction) originates from a customer service request, and an ISP receives the transaction and provides service by first identifying the customer and forwarding the transaction to a generalized service-engine 2134. This teaching of *Elliot* does not teach or suggest that a received transaction from a customer service request comprises one or more generic (or universal) service components. Accordingly, *Elliot* fails to teach or suggest the above limitations of claims 48, 49, and 53.

Additionally, independent claim 48 further recites:

means for routing said universal service components to an appropriate domain manager;  
means for translating said universal service components into vendor specific format;  
means for translating said universal service components into device specific format . . .  
. . . (Emphasis added).

Also, independent claim 49 recites, in part:

processing said service order by an activation system;  
routing said one or more of said universal service components included in said service order to an appropriate domain manager;  
said appropriate domain manager translating vendor neutral universal service components into vendor specific form and translating device neutral universal service components into device specific form; and  
activating said service described by said one or more universal service components in said service order. (Emphasis added).

And, independent claim 53 recites, in part:

routing said generic service components to an appropriate domain manager;

translating vendor neutral generic service components into vendor specific terminology;

translating device neutral generic service components into device specific terminology; . . .

As described above with claim 44, the applied combination of *Elliot* and *Dungan* fails to teach or suggest translating a generic (or universal) service component into vendor specific form (or terminology) and translating such generic (or universal) service component into device specific form (or terminology). Accordingly, the combination of *Elliot* and *Dungan* fails to teach or suggest each and every element of claims 48, 49, and 53.

Additionally, independent claim 49 recites “routing said one or more of said universal service components included in said service order to an appropriate domain manager” (emphasis added), and it specifies that “said appropriate domain manager translating vendor neutral universal service components into vendor specific form and translating device neutral universal service components into device specific form”. As described above with claims 29 and 61, the applied combination of *Elliot* and *Dungan* fails to teach or suggest routing of universal service components included in a service order to an appropriate domain manager. Thus, the applied combination fails to teach or suggest at least this limitation of independent claim 49.

In view of the above, because the combination of *Elliot* and *Dungan* fails to teach or suggest all of the limitations of independent claims 48, 49, and 53 as discussed above, Applicant respectfully submits that these independent claims are not obvious under 35 U.S.C. § 103(a) over *Elliot* in view of *Dungan*, and therefore Applicant respectfully requests withdrawal of this rejection.

Dependent claims 2-23, 25-28, 30-43, 45-47, 50-52, 56-60, and 62-75

In view of the above, Applicant respectfully submits that independent claims 1, 24, 29, 44, 48, 49, 53, 54, 55, and 61 are not obvious under 35 U.S.C. § 103(a) over *Elliot* in view of *Dungan* because the applied combination fails to teach each and every element of such independent claims. Further, each of dependent claims 2-23, 25-28, 30-43, 45-47, 50-

52, 56-60, and 62-75 depend either directly or indirectly from one of independent claims 1, 24, 29, 44, 48, 49, 53, 54, 55, and 61, and thus inherit all limitations of the respective independent claims from which they depend. It is respectfully submitted that dependent claims 2-23, 25-28, 30-43, 45-47, 50-52, 56-60, and 62-75 are allowable not only because of their dependency from their respective independent claims for the reasons discussed above, but also in view of their novel claim features (which both narrow the scope of the particular claims and compel a broader interpretation of the respective base claim from which they depend).

#### **IV. Conclusion**

Claims 1-75 are pending in the current application. As shown above, there are important differences between the claims and the applied art. Moreover, a person of ordinary skill in the art considering the applied art would not find these differences obvious. Accordingly, Applicant respectfully asserts that claims 1-75 are allowable over the applied art. Therefore, Applicant respectfully requests that these claims be passed to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. 50671/P004US/09902604 from which the undersigned is authorized to draw.

Applicant respectfully requests that the Examiner call the below listed attorney if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

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Respectfully submitted,

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